

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5 and 10-16 are currently pending. Claims 6-9 have been cancelled without prejudice or disclaimer; and Claims 10-16 have been added by the present amendment. The changes and additions to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,816,139 to Nagaoka et al. (hereinafter “the ‘189 patent”).

Amended Claim 1 is directed to an imaging apparatus, which creates an image file and is associated with an external memory, comprising: (1) a connector configured to attach and detach said external memory in which a plurality of information files are stored, each of the plurality of information files including information data related to an item being described in advance; (2) a first display device configured to display said plurality of information files stored in the external memory attached by the connector; (3) a first selection device configured to select one of the plurality of information files displayed by said first display device; (4) a second display device configured to display the information data, which are described in advance in the information file selected by said first selection device and related to the corresponding item; (5) a second selection device configured to select the information data, which are displayed by said second display device; and (6) an adding device configured to register the information data, which is selected from the information data described in advance in the selected information file by said second selection device, into the

corresponding image file. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.<sup>1</sup>

Regarding the rejection of Claim 1 under 35 U.S.C. § 102(e), the '189 patent is directed to an electron camera and method of controlling the same. In particular, the '189 patent discloses two types of management files including types of management files having extender VFM and that of management files having extender VLM are handled in a manner consistent with a file management scheme conforming to the DCF standard. The '189 patent discloses that this makes it possible for the user to select any file names and directory names he or she likes, while maintaining compatibility with the file management scheme conforming to the DCF standard.<sup>2</sup> The '189 patent also discloses that a list of selected input virtual directory names are displayed on a display screen by operating an album key, and that a predetermined virtual directory name can be selected from the list of the virtual directory names being displayed on a display screen, by operating any of the movement keys and the determination key.<sup>3</sup> However, it is respectfully submitted that the '189 patent fails to disclose a connector configured to attach and detach said external memory in which a plurality of information files are stored, each of the plurality of information files including information data related to an item being described in advance.

Further, it is respectfully submitted that the '189 patent fails to disclose an adding device configured to register the information data, selected from the information data described in advance in the selected information file by said second selection device, into the corresponding image file. Rather, the '189 patent discloses that the image data obtained as a result of an imaging operation is recorded in a directory corresponding to the selected virtual directory name and conforming to the DCF standard.<sup>4</sup> The '189 patent does not disclose

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<sup>1</sup> See, e.g., page 14, lines 5-23 of Applicant's specification.

<sup>2</sup> Id. at column 5, lines 35-43; and column 6, lines 45-50.

<sup>3</sup> Id. at column 8, line 33 to column 9, line 49.

<sup>4</sup> Id. at column 6, lines 10-50.

registering the information data, which is selected from the information data described in advance in the selected information file by said second selection device, into the corresponding image file.

Accordingly, it is respectfully submitted that the rejection of Claim 1 under 35 U.S.C. § 102(e) is rendered moot by the present amendment to Claim 1.

Amended Claim 2 is directed to an imaging apparatus, which creates an image file and is associated with an external memory, comprising: (1) a connector configured to attach and detach said external memory in which a plurality of information files are previously stored, an attribute of each of the plurality of information files being defined and first information data being described in advance in each of the plurality of information files; and (2) a displaying device configured to display said plurality of information files, including information data related to an item being described in advance in each of the plurality of information files, wherein said displaying device includes a switching device configured to switch between an item name and an information file name corresponding to the attribute of each of the plurality of information files previously stored in the external memory, to be displayed. The changes to Claim 2 are supported by the originally filed specification and do not add new matter.<sup>5</sup>

Regarding the rejection of Claim 2 under 35 U.S.C. § 102(e), as stated above, the '189 patent fails to disclose the connector recited in Claim 1. Thus, the '189 patent fails to disclose a connector configured to attach and detach said external memory in which a plurality of information files are previously stored, an attribute of each of the plurality of information files being defined and first information data being described in advance in each of the plurality of information files, as recited in Claim 2.

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<sup>5</sup> See, e.g., page 16, line 25 to page 17, line 11; and Figures 6 and 11 of Applicant's specification.

Further, it is respectfully submitted that the '189 patent fails to disclose that said displaying device includes a switching device configured to switch between an item name and an information file name corresponding to the attribute of each of the plurality of information files previously stored in the external memory, to be displayed.

Accordingly, it is respectfully submitted that the rejection of Claim 2 under 35 U.S.C. § 102(e) is rendered moot by the present amendment to Claim 2.

Amended Claim 4 is directed to an imaging apparatus associated with an external memory, comprising: (1) a connector configured to attach and detach said external memory in which a plurality of information files are stored, an attribute of each of the plurality of information files being defined and each of the plurality of information files including first information data being described in advance; (2) a displaying device configured to display said plurality of information files; (3) a selection device configured to select one of the plurality of information files, which are displayed by said display device; and (4) an information data replacement device configured to replace the first information data, which are described in the information file selected by said selection device, with plural second information data, which are previously described in the imaging apparatus, in accordance with the attribute of the information file selected by said selection device and to register the second information data into the corresponding image file. The changes to Claim 4 are supported by the originally filed specification and do not add new matter.<sup>6</sup>

Regarding the rejection of Claim 4, as stated above, the '189 patent fails to disclose the connector recited in Claim 1. Thus, the '189 patent fails to disclose a connector configured to attach and detach said external memory in which a plurality of information files are stored, an attribute of each of the plurality of information files being defined and each of the plurality of information files including first information data being described in advance,

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<sup>6</sup> See, e.g., page 17, line 17 to page 18, line 19 of Applicant's specification.

as recited in Claim 4. Further, it is respectfully submitted that the '189 patent fails to disclose an information data replacement device configured to replace the first information data, which are described in the information file selected by said selection device, with plural second information data, which are previously described in the imaging apparatus, in accordance with the attribute of the information file selected by said selection device and to register the second information data into the corresponding image file.

Accordingly, it is respectfully submitted that the rejection of Claim 4 under 35 U.S.C. § 102(e) is rendered moot by the present amendment to Claim 4.

Amended Claim 5 recites limitations analogous to the limitations recited in Claim 1. Moreover, Claim 5 has been amended in a manner analogous to the amendments to Claim 1. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, it is respectfully submitted that the rejection of Claim 5 under 35 U.S.C. § 102(e) is rendered moot by the present amendment to Claim 5.

Claim 3 has been rewritten in dependent form, and now depends from independent Claim 1. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, it is respectfully submitted that the rejection of Claim 3 is rendered moot by the present amendment to Claim 1.

Regarding the rejections of Claims 6-9 under 35 U.S.C. § 102(e), It is respectfully submitted that the rejections of those claims are rendered moot by the present cancellation of Claims 6-9.

The present amendment also sets forth new Claims 10-16 for examination on the merits. Claims 10-16 are supported by the originally filed specification and do not add new

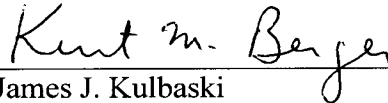
matter.<sup>7</sup> It is respectfully submitted that these more detailed features are not disclosed or suggested by the applied references.

Thus, it is respectfully submitted that independent Claims 1, 2, 4, and 5 (and all associated dependent claims) patentably define over the '189 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>7</sup> See, e.g., page 13, lines 8-9; page 16, line 25 to page 17, line 1; page 15, lines 17-19; page 22, lines 2-3; and Figure 17 of Applicant's specification.